IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 10TH DECEMBER 2007 / 19TH AGRAHAYANA 1929

WP(C).No. 36473 of 2007(P)

OS.6/2006 of PRL.SUB COURT,TRIVANDRUM
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PETITIONER:

ANASE P.J.,
PUTHENVEEDU, A.N.PURAM, MULLAKKAL VILLAGE,
AMBALAPUZHA TALUK, ALLEPPEY DISTRICT.

BY ADV. SRI.P.HARIDAS

RESPONDENTS:
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1. **K.K. SWAMINATHAN, S/O. KRISHNANKUTTY,**
   CHAIRMAN, SHINES INDIA (P) LTD., RESIDING AT
   VIDYA BHAVAN, THONNALLOOR MURI,THONNALLOOR VILLAGE
   PANDALAM, ADOOR TALUK.

2. **P.V. RAJAMMA, W/O. SWAMINATHAN,**
   DIRECTOR, SHINES INDIA (P) LTD., RESIDING AT -DO-.

3. **SHINE NATH, S/O. K.K. SWAMINATHAN,**
   RESIDING AT -DO- -DO-.

4. **SHINES INDIA (P) LTD., A REGISTERED**
   COMPANY UNDER THE COMPANIES ACT, REPRESENTED BY
   ITS CHAIRMAN AND MANAGING DIRECTOR,K.K.SWAMINATHAN
   RESIDING AT VIDYA BHAVAN, THONNALLOOR MURI,
   THONNALLOOR VILLAGE, ADOOR TALUK.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.(C) No.36473 OF 2007

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Dated this the 10th day of December 2007

JUDGMENT

This writ petition is filed for a direction to the Sub Court, Thiruvananthapuram to issue carbon copy of the order in I.A.No.6624/2007 in O.S.No.6/2006 and also for a prayer not to release the attachment of the plaint schedule properties until the period for filing appeal is over. It is submitted by the learned counsel for the petitioner that the petitioner has filed a suit for specific performance where there has been an order to pay balance court fee. He moved an application for extension of time for payment of balance court fee and that has been rejected. The suit is also consequently dismissed. The petitioner wants to prefer appeal against that order and has applied for emergent carbon copy.

Therefore, I direct the court below to issue carbon copy of the order applied for, as expeditiously as possible, and not later than 19.12.2007. Since there had been an order of attachment during the subsistence of the suit and as the case is dismissed on technical ground, I direct the court below not to raise the attachment till 10.1.2008 so that the petitioner can

move the appellate court for appropriate orders.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-